

AMENDED IN SENATE MARCH 28, 2016

**SENATE BILL**

**No. 1151**

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**Introduced by Senator Hall**

February 18, 2016

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An act to ~~amend Section 8574.17 of~~ *add Section 8588.4 to the Government Code*, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 1151, as amended, Hall. Emergency services: ~~state toxic disaster contingency plan.~~ *feasibility study.*

*Existing law establishes the Office of Emergency Services within the office of the Governor and under the supervision of the Director of Emergency Services and makes the office responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies.*

*This bill would require the office to conduct a study to determine the feasibility of establishing a contract with the United States Postal Service to obtain the assistance of the United States Postal Service with emergency response during a declared disaster, as specified.*

~~Existing law requires the Governor to establish a state toxic disaster contingency plan that provides for an integrated and effective state procedure to respond to the occurrence of toxic disasters within the state.~~

~~This bill would require the Office of Emergency Services to post the state toxic disaster contingency plan on its Internet Web site.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 8588.4 is added to the Government Code,  
2     to read:

3     8588.4. The office shall conduct a study to determine the  
4     feasability of establishing a contract with the United States Postal  
5     Service to obtain the assistance of the United States Postal Service  
6     with emergency response services during a declared disaster. The  
7     study shall include, but is not limited to, an examination of the use  
8     of United States Postal Service employees, resources, and assets  
9     to provide the following:

10    (a) An identification of residential or commercial structures  
11    that have been damaged as a result of a declared emergency.

12    (b) An identification of persons who reside in an area damaged  
13    by a declared emergency, and any emergency medical or physical  
14    needs of those persons.

15    (c) Assistance in assessing damage to neighborhoods or schools  
16    as a result of a declared emergency.

17    (d) Any other activity that the office deems necessary to assist  
18    in responding to a declared disaster.

19    SECTION 1. ~~Section 8574.17 of the Government Code is~~  
20    ~~amended to read:~~

21    ~~8574.17. (a) (1) A state toxic disaster contingency plan~~  
22    ~~established pursuant to this article shall provide for an integrated~~  
23    ~~and effective state procedure to respond to the occurrence of toxic~~  
24    ~~disasters within the state. The plan shall provide for the designation~~  
25    ~~of a lead agency to direct strategy to ameliorate the effects of a~~  
26    ~~toxic disaster, for specified state agencies to implement the plan,~~  
27    ~~for interagency coordination of the training conducted by state~~  
28    ~~agencies pursuant to the plan, and for on-scene coordination of~~  
29    ~~response actions.~~

30    ~~(2) Notwithstanding any provision of the plan, the authority for~~  
31    ~~the management of the scene of an on-highway toxic spill or~~  
32    ~~disaster shall be vested in the appropriate law enforcement agency~~  
33    ~~having primary traffic investigative authority on the highway where~~  
34    ~~the incident occurs or in a local fire protection agency as provided~~  
35    ~~by Section 2454 of the Vehicle Code. During the preparation of~~  
36    ~~the toxic disaster contingency plan, the Office of Emergency~~  
37    ~~Services shall adopt the recommendations of the Department of~~  
38    ~~the California Highway Patrol in developing response and on-scene~~

1 ~~procedures for toxic disasters which occur upon the highways,~~  
2 ~~based upon previous studies for such procedures, insofar as the~~  
3 ~~procedures are not inconsistent with the overall plan for initial~~  
4 ~~notification of toxic disasters by public agencies and for~~  
5 ~~after-incident evaluation and reporting.~~

6 ~~(b) The Office of Emergency Services shall establish a central~~  
7 ~~notification and reporting system to facilitate operation of the state~~  
8 ~~toxic disaster response procedures designated by the toxic disaster~~  
9 ~~contingency plan.~~

10 ~~(c) The Office of Emergency Services shall post the state toxic~~  
11 ~~disaster contingency plan on its Internet Web site.~~